



Department of Planning, Housing, & Community Development

Mayor, Matthew T. Ryan
Director, Tarik Abdelazim

STAFF REPORT

TO: Planning Commission Members
FROM: Patrick C. Day, Planner
DATE: December 21, 2012
SUBJECT: 257-263 Washington Street
TM ID #: 160.33-1-4, 160.33-1-5, 160.33-1-6, 160.33-1-7
CASE: 2012-54
COPIES: B. Seachrist, T. Costello, L. Webb (District 4), K. Findley, File

A. REVIEW REQUESTED

Kevin Findley has submitted an application to convert 2 existing structures at the properties known as 257 and 263 Washington Street for use as a multi-unit dwellings, and new construction of an off-street area between these structures, at 259 and 261 Washington Street. The portion of the existing structure that is located at 259 and 261 Washington Street would be demolished to allow construction of the parking area.

The proposed project would result in 30 dwelling units containing 47 bedrooms. The 257 Washington Street property would contain 7 two bedroom and 12 one bedroom & studio units. The 263 Washington Street structure would contain 8 one bedroom and 8 units with 2 or more bedrooms.

The involved parcels are located in the C-1 Service Commercial District. In the C-1 district, conversion of existing building to a multi-unit dwelling requires a Special Use Permit and a Series A Site Plan Review from the Planning Commission.

B. ADDITIONAL REVIEWS

The submitted site plan indicates 25 off-street parking spaces, however the proposed use requires a minimum of 37 spaces, per Zoning Code for a Multi-Unit Dwelling. The applicant has applied to Zoning Board of Appeals for an area variance for minimum off-street parking (12 spaces).

The project is located within the boundaries of the Local Waterfront Revitalization Plan (LWRP) area; the applicant has submitted an application for review by the Waterfront Advisory Committee (WAC). The WAC will review the project for consistency with the policies of the City's Local Waterfront Revitalization Plan.

The project's new construction of an off-street parking area, which would introduce two-way traffic at a location where it previously did not exist, requires Traffic Board review.

Shade Tree Commission review is required for comment on the proposed landscape plan canopy cover. STC has reviewed the submitted site plan and provided comment.

257 Washington Street is a designated historic local landmark and as such; any changes to the exterior will require review by the Commission of Architecture and Urban Design. The 263 Washington Street property is currently pursuing designation as a local landmark property. The entire project will be reviewed by CAUD; comments and recommendations will be issued to Commissioners upon receipt.

C. COMPREHENSIVE PLAN & INITIATIVES IDENTIFIED FOR SUBJECT AREA

The subject site is located within the Downtown / In-Town District. The Comprehensive Plan, adopted in 2003, indicates that the subject properties would be well served by land use consistent with Arts, Entertainment and Housing Market needs. Renovation of existing building stock for residential use is a recommended element for the successful revitalization of the City's Downtown district.

D. STANDARDS FOR APPROVAL OF SITE PLANS & SPECIAL USE PERMITS

Listed below are the *Standards for approval of site plans* found in Article IX of the Zoning Ordinance. In reviewing a Series A Site Plan application, the Planning Commission is guided by the existing characteristics and conditions of the site, its surroundings, and the particular requirements of the Applicant. Elements of concern include, but are not limited to the following:

- Movement of vehicles and people
- Public safety
- Off-street parking and service
- Lot size, density, setbacks, building size, coverage and height
- Landscaping, site drainage, buffering, views or visual character
- Signs, site lighting
- Operational characteristics
- Architectural features, materials and colors
- Compatibility with general character of neighborhood
- Other considerations that may reasonably be related to health, safety, and general welfare

In addition, the general requirements described in Section 410-40 must be complied with. These requirements are as follows:

1. That the land use or activity is designed, located, and operated so as to protect the public health, safety, and welfare.
2. That the land use or activity will encourage and promote a suitable and safe environment for the surrounding neighborhood and will not cause substantial injury to the value of other property in the neighborhood.
3. That the land use or activity will be compatible with existing adjoining development and will not adversely change the established character or appearance of the neighborhood.
4. That effective landscaping and buffering is provided as may be required by the Planning Commission. To this end, parking areas and lot areas not used for structures or access drives shall be improved with grass, shrubs, trees, and other forms of landscaping, the location and species of which shall be specified on the site plan.

5. That a site plan shall be approved in accordance with applicable provisions of Article IX of the Zoning Ordinance.
6. That adequate off-street parking and loading are provided in accordance with Article X of the Zoning Ordinance or other requirements as may be set forth in Section 806, and egress and ingress to parking and loading areas are so designed as to minimize the number of curbcuts and not unduly interfere with traffic or abutting streets.
7. That site development shall be such as to minimize erosion and shall not produce increased surface water runoff onto abutting properties.
8. That existing public streets and utilities servicing the project shall be determined to be adequate.
9. That significant existing vegetation shall be preserved to the extent practicable.
10. That adequate lighting of the site and parking areas is provided and that exterior lighting sources are designed and located so as to produce minimal glare on adjacent streets and properties.
11. That the land use or activity conforms with all applicable regulations governing the zoning district where it is to be located, and with performance standards set forth in Section 503 of the Zoning Ordinance, except as such regulations and performance standards may be modified by the Planning Commission or by the specific provisions of Section 806. Notwithstanding the above, the Planning Commission shall not be authorized to modify the land use regulations of the Zoning Ordinance.

E. SITE REVIEW

The proposed project involves four tax parcels (257, 259, 261 and 263 Washington Street) located in the C-1, Service Commercial District. The subject parcels occupy the west side of Washington Street between Lewis Street and E. Clinton Street. The existing structure located at 257-263 Washington was most recently occupied by the Boys' and Girls' Club of America, but is currently vacant. The existing structure at 263 Washington Street is also vacant, and in a state of severe disrepair.

Land use in the vicinity of 257-263 Washington Street is a mix of commercial, institutional and residential. Uses in the vicinity of the subject property include: Sherwin Williams Paints, Firestone Auto Care, the City Light Café, First Assembly of God Worship Center, Broome Center for the Performing Arts and Bob Crowe Auto Center.

F. PREVIOUS ZONING BOARD & PLANNING COMMISSION ACTIVITY

23 E. Clinton Street: On December 21, 2013, Series A Site Plan / SUP Review Exception was granted for a yoga studio (applicant: Yaron Kweller).

1 Lewis Street: The Planning Commission granted Series A Site Plan / Special Use Permit Review approval for a mixed use project (Multi-Unit Dwelling & Commercial Use TBD) on October 3, 2011 (applicant: Tobey Kellam).

187 Washington Street: A Special Use Permit was granted to Christ Church in 1990 by the Planning

Commission for the operation of a pre-school within the existing church building.

227-241 Washington Street: In 1989, the Zoning Board of Appeals granted two area variances regarding off-street parking requirements to Sarbro Realty to permit the construction of an office building.

245 and 249 Washington Street: In 1987, the Planning Commission granted a Special Use Permit to the First Assembly of God to use the building at 249 Washington Street as an accessory to the church and to use 245 Washington Street for parking.

5-7 Lewis Street: The Planning Commission approved a Series A Site Plan submitted by ISI Associates in 1998 to construct a parking lot.

G. ENVIRONMENTAL IMPACT

The applicant's proposal is a SEQR **Unlisted** Action. The Planning Commission may be the lead agency to determine any environmental significance.

1. Motion to determine what type of action:
 - a. Type I
 - b. Type II
 - c. **Unlisted**
2. Determine Lead Agency and other involved agencies.
3. Motion to schedule a public hearing.
4. After the Public Hearing, Determination of Significance based on:

Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems?	Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character?	Vegetation of fauna, fish, shellfish, or wildlife species, significant habitats, or threatened or endangered species?	A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources?	Growth, subsequent development, or related activities likely to be induced by the proposed action?	Long term, short term, cumulative, or other effects not identified in C1-C5?	Other impacts (including changes in use of either quantity or type of energy)?
X	X	X	X	X	X	X

H. STAFF FINDINGS

Planning Staff has the following findings:

1. The Planning Commission must determine if the requirements of Section 410-47 for Standards for Approval of Site Plans and of Section 410-40 for Standards for Special Use Permit have been met.

The proposed adaptive reuse project would result in the renovation of long-neglected historic properties that have fallen into a state of disrepair. Overall, the project would improve the aesthetic of the neighborhood with land uses that are consistent with the goals outlined for the Downtown / In-Town area in the most recent (2003) City of Binghamton Comprehensive Plan.

I. SUGGESTED CONDITIONS

If the Planning Commission approves this project, Staff recommends that the following conditions of approval be included:

1. A Final Urban Runoff Reduction Plan shall be submitted along with the demolition permit, building and/or grading permit for the parking area for review and approval by the City of Binghamton Engineering Department prior to the issuance of any permit for the proposed project.
2. That the sidewalk along the E. Clinton Street frontage of 257 Washington Street be reconstructed, per Engineering Department guidelines, with installation of street tree plantings where adequate space permits.

J. ENCLOSURES

Enclosed are copies of the site plan, canopy coverage document, floor plans (257 & 263 Washington Street) Shade Tree Commission comment document, application, proposed construction timeline and site photos.

Sincerely,

Patrick C. Day
Planner

Enclosures